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OFFICE OF PETITIONS

In re Application of
Mashinsky, et al.
Application No. 09/368,828
Filed: August 5, 1999
Attorney Docket No. 9118-037
For: ASSIGNING TELECOMMUNICATIONS
SERVICES TO MATCHABLE CLASSES

DECISION
ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed May 27, 2004, to revive the above-identified application.

This application became abandoned for failure to timely pay the issue fee within three (3) months of the mailing of the November 28, 2003 Notice of Allowance and Fee(s) Due. Accordingly, this application became technically abandoned on February 29, 2004.¹ The filing of the instant petition precedes the mailing of a Notice of Abandonment.

Applicants have submitted a reply in the form of the issue fee and the PTOL-85, an acceptable statement of the unintentional nature of the delay in responding to the November 28, 2003 Notice of Allowance and Fee(s) Due, and the petition fee.²

The petition is **granted**.

The change of address on the PTOL-85 cannot be entered because only an attorney of record may change the correspondence address of record. Office records do not list Alfred W. Forebrich as an

¹ Petitioners could have responded timely on March 1, 2004, as it was the first business day after the weekend.

² The statement of unintentional delay was not signed by a person who would have been in a position of knowing that the delay in filing a timely response was unintentional. In the event that the person signing the petition has no knowledge that the delay was in fact unintentional, he should make a reasonable inquiry to ascertain that, in fact, the delay was unintentional. If he discovers that the delay was intentional, he must so notify the Office.

attorney of record. A courtesy copy of this decision is being mailed to the address listed on the PTOL-85. However, any future correspondence regarding this application will be mailed to the address of record.

This application is being forwarded to Publishing Division for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3230.

A handwritten signature in cursive script, reading "E. Shirene Willis".

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions

cc: ARBINET-THEEXCHANGE, INC.
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